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## EDUCATION

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## Title 28

### EDUCATION

#### Part V. Student Financial Assistance—Higher Education Loan Program

### Chapter 1. Student Financial Assistance Commission Bylaws

#### §101. Definitions and Authority

A. Words and terms not otherwise defined in these rules shall have the meanings ascribed to such words and terms in this Section. Where the masculine is used in these rules, it includes the feminine, and vice versa; where the singular is used, it includes the plural, and vice versa.

*Assistant Executive Director* (as used in these bylaws)—those persons appointed in the unclassified service as assistants to the executive director.

*Business of the Commission* (as used in these bylaws)—activities on behalf of the commission, including attendance at commission meetings and commission committee meetings; presentations at legislative committee hearings on issues or bills which relate to the role, scope, mission or programs assigned the commission; presentations to the public and to federal and state officials related to the role, scope, mission, or programs assigned the commission; and participation in projects, meetings or conferences related to the role, scope, mission or programs assigned the agency; all or any of the foregoing as directed by the commission, authorized by the chairman or a committee chairman, or requested by the executive director.

*Chairman of the Commission* (as used in these bylaws)—the executive secretary to the governor or his/her designee, who shall serve as ex-officio chairman of the commission.

*Deputy Executive Director* (as used in these bylaws)—the principal assistant to the executive director.

*Director* (as used in these bylaws)—that person appointed in the classified service as the administrative head of a division of the Office of Student Financial Assistance.

*Divisions* (as used in these bylaws)—a subordinate organizational element of the Office of Student Financial Assistance which has been approved by the commission.

*Executive Director* (as used in these bylaws)—that person duly appointed by the commission pursuant to R.S. 17:3022(B) to serve in the unclassified service as executive director of the Office of Student Financial Assistance, who shall be its chief executive officer and the appointing authority for all classified employees of the office.

*Fiscal Officer* (as used in these bylaws)—that employee of the office assigned responsibility for preparation and monitoring the approved budget of the commission, who may jointly serve as a director.

*Louisiana Student Financial Assistance Commission* (as used in these bylaws)—the statutory body created by R.S. 17:3021, et seq., which shall be composed of the members who are duly appointed and qualified as provided by law. The commission shall be the governing body of the Office of Student Financial Assistance and shall establish procedures for the selection and appointment of the unclassified employees of that office, in conformance with applicable laws.

*Office of Student Financial Assistance* (as used in these bylaws)—the organization created by R.S. 36:650 to perform the functions of the state relating to the programs of financial assistance and the certain scholarship programs for higher education in accordance with the directives of the commission and applicable law.

*Services* (as used in these bylaws)—conducting the business of the commission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:810 (September 1996), amended LR 24:1263 (July 1998), LR 26:1993 (September 2000), LR 33:435 (March 2007), LR 33:2608 (December 2007).

#### §103. Meetings

A. Regular Meetings. The commission shall hold regular meetings, which are limited in number to 12 per year. All regular meetings shall be held at meeting places designated by the commission. Proxy voting shall be allowed at all meetings for the chairman of: State Board of Elementary and Secondary Education; Board of Supervisors, Louisiana State University; Board of Supervisors, Southern University; Board of Regents; Board of Supervisors, University of Louisiana; and Louisiana Association of Independent Colleges and Universities, or each of their designees; however, any proxy holder must also be a member of that respective board. The superintendent of education may vote by proxy through a member of his/her executive staff. No other members shall have the right of proxy voting.

B. Special Meetings. Special meetings of the commission may be called by the chairman at any time, or by the secretary upon written request therefor signed by a majority of the members and specifying the purposes of the desired meeting. Written notification shall be sent to each member at least three calendar days before the time of the meeting.

#### C. Compensation

1. Members of the commission shall receive per diem as compensation for their services at the rate authorized by statute or as authorized by executive order. Members shall

be reimbursed for their necessary travel expenses actually incurred in the conduct of the business of the commission.

2. The commission is limited to 12 meetings per year for which per diem may be drawn by commission members.

D. Quorum. A simple majority of the commissioners shall constitute a quorum for the transaction of any business, and a simple majority of the quorum present at any meeting voting in favor or against a particular item shall be the act of the commission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:810 (September 1996), repromulgated LR 24:1263 (July 1998), amended LR 26:1993 (September 2000), LR 33: 435 (March 2007).

### **§105. Officers of the Commission and Executive Staff**

#### **A. Chairman and Vice Chairman**

1. The executive secretary to the governor or his/her designee shall serve as ex-officio chairman of the commission. The commission shall select a vice chairman annually. Should a vacancy occur in the vice chairmanship, the commission shall elect a successor from its membership. The commission may elect such other officers as it deems necessary.

2. The chairman of the commission shall preside over all meetings of the commission, serve as ex-officio member of all committees, name the appointive members of all standing and special committees of the commission, and fill all vacancies in the membership of such committees, in accordance with the provisions of these bylaws.

3. The vice chairman of the commission shall perform the duties of the chairman in the absence of the chairman of the commission.

4. In the event both the chairman and the vice chairman are absent from a commission meeting, the commission shall elect a temporary chairman from those present.

B. Secretary. The commission shall elect a secretary annually, who may certify the minutes, papers and documents of the commission or of its committees to be true and correct copies.

C. Executive Staff. The executive staff of the commission shall include the incumbent of those positions within the Office of Student Financial Assistance so designated by the executive director and will normally be composed of the executive director, the deputy executive director, the assistant executive directors, the general counsel, the directors of the divisions of the office, and such other personnel as may be required for the efficient performance of the functions of the commission. The executive staff shall be tasked, directed and supervised by the executive director.

D. Authentication. Copies of all minutes, papers and documents of the commission, or its committees, may be certified to be true and correct copies by either the chairman, secretary or executive director.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:810 (September 1996), amended LR 24:1263 (July 1998), LR 33:2608 (December 2007).

### **§107. Order of Business**

A. Rules of Order. When not in conflict with any of the provisions of this article, *Robert's Rules of Order* (latest revision) shall constitute the rules of parliamentary procedure applicable to all meetings of the commission or its committees.

B. Order of Business. The order of business of regular meetings of the commission shall be as follows, unless the rules are suspended by a simple majority vote of the quorum present:

1. call to order;
2. roll call;
3. introductions and announcements;
4. corrections and approval of minutes of preceding regular meetings and of all special meetings held subsequent thereto;
5. public comment;
6. program updates and special reports;
7. old business, including reports and recommendations of standing and special committees;
8. new business; and
9. adjournment.

#### **C. Reference to Committees**

1. In cases where the commission determines that it is feasible and desirable, it may refer any subject or measure to the executive committee or to a special committee.

2. The committee to which a matter is referred should submit to the commission its recommendations in writing, together with any resolutions necessary to facilitate such recommendations.

#### **D. Meetings**

1. Meetings shall be conducted in accordance with state law governing public bodies.

2. It is the policy of the commission for all meetings to be open to all who wish to attend and that the public shall be granted an opportunity to comment.

3. The commission may enter into an executive session only upon two-thirds majority vote of the quorum present and only for one of the reasons specified in the Louisiana Open Meetings Law.

4. Prior to each regular meeting of the commission, the executive director, with approval of the chairman, shall prepare and forward to each member of the commission a tentative agenda for the meeting at least five working days prior to such regular meeting.

5. Upon request of three members of the commission made prior to the fifth day before the next commission meeting that a particular item be included, the chairman shall place the subject or subjects upon the agenda.

6. The commission may add any item to its agenda during a meeting upon a simple majority vote of the quorum present.

7. Each resolution shall be reduced to writing and presented to the commission before it is acted upon.

8. All official actions of the commission shall require a simple majority vote of the quorum present at the meeting.

E. Minutes. The minutes of the commission shall record official action taken upon motions or resolutions which are voted upon by the commission and may contain a summary of reports and pertinent discussion. The foregoing provisions relative to contents of the minutes shall, in general, also apply to minutes of committees of the commission. The minutes of meetings of the commission become official only when completed and approved by the commission.

F. Meeting Attendance. Commission members are required to attend all commission meetings. Failure to attend three meetings annually will result in a notice being sent from the commission to the absent member stating that failure to attend one more meeting will result in a request being made to the appointing authority that the absent member be replaced. In the event a fourth meeting is missed, said request shall be sent to the appointing authority. Also, the absent member shall be relieved of duties on any committee to which he/she has been appointed to serve. This Section is not applicable to meetings that are missed with just cause, as determined by the chairman.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:810 (September 1996), repromulgated LR 24:1264 (July 1998), amended LR 37:2986 (October 2011).

### **§109. Committees**

A. In addition to the executive committee established in these bylaws, the commission may establish standing committees by the vote of a simple majority of the membership of the commission.

#### **B. Appointment and Terms**

1. Members of all standing committees, one of whom shall be designated as chairman and one of whom shall be designated as vice chairman, shall be appointed by the chairman of the commission, ordinarily soon after the chairman assumes office. The term of committee appointments shall be one year.

2. Vacancies occurring among the appointive members of any committees, however arising, shall be filled by the chairman of the commission for the remainder of the unexpired term.

#### **C. Officers of Standing Committees**

1. The chairman and the vice chairman of the commission shall be chairman and vice chairman, respectively, of the executive committee. In the absence of the chairman, the vice chairman shall preside. In the event both the chairman and vice chairman are absent from a meeting, the committee shall elect a temporary chairman from those present.

2. The vice chairman of the commission shall be chairman of the rules committee.

3. It shall be the duty of the chairman of each committee to call and to preside over the necessary meetings. The minutes of the meeting of the committee, showing its actions and recommendations, shall be deemed in compliance with the provisions of §107.C, hereof, concerning the written recommendations of the committee.

D. Quorum of Committee Meetings. A simple majority of the regular and/or ex officio members present at a meeting of a committee of the commission shall constitute a quorum for the transaction of business. When a quorum is not present, the chairman of the commission, the chairman of the committee, or vice chairman in the chairman's absence, may designate a member of the commission to serve as a substitute member of the committee concerned.

E. Authority of Committees. The authority of committees of the commission shall be subject to these bylaws and to the policies and direction of the commission.

#### **F. Executive Committee**

1. The executive committee shall consist of seven members. The chairman and vice chairman of the commission shall serve in those capacities on the executive committee. The remaining persons, for a total of seven members, shall be appointed by the chairman of the commission from the other members of the commission.

2. The executive committee shall:

a. meet for and conduct the business of the commission in all instances that the public has been given notice of a meeting of the commission and the commission does not have a quorum at that meeting. In such cases, the actions of the committee shall have the same force and effect as if a quorum of the commission had taken the action;

b. consider such matters as shall be referred to it by the commission and shall execute such orders and resolutions as shall be assigned to it at any meeting of the commission;

c. in the event that an emergency requiring immediate commission action shall arise between commission meetings, meet in emergency session to take such action as may be necessary and appropriate. The executive committee shall report the actions it takes in

emergency session to the commission for ratification at the commission's next meeting.

3. All official actions of the executive committee shall require a majority vote of the quorum present at the meeting.

4. The executive committee may enter into an executive session only upon two-thirds majority vote of the quorum present and only for one of the reasons specified in the Louisiana Open Meetings Law.

#### G. Special Committees

1. As the necessity therefor arises, the chairman may, with the concurrence of the commission, create special (ad hoc) committees with such functions, powers and authority as may be delegated.

2. The chairman may appoint special committees for special assignments for limited periods of existence not to exceed the completion of the assigned task.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:811 (September 1996), repromulgated LR 24:1264 (July 1998), amended LR 26:484 (March 2000), LR 27:35 (January 2001), LR 32:391 (March 2006), LR 37:2987 (October 2011).

### **§111. Communications to the Commission**

A. All communications to the commission, or to any committee thereof, from persons having official relations with the commission shall be filed in writing with the executive director and duly transmitted by him to the commission. The executive director shall have the authority to read and comment upon all communications from employees of the office but shall not delay or withhold such communications, except as hereinafter provided. Such communications shall be filed with the executive director at least five days before the meeting of the commission or committee and with the chairman at least three days before such meeting. Otherwise, the executive director may either submit such communication at that time or withhold such communication until the next meeting. In the event the executive director elects to withhold any such communication until the next meeting, such communication shall be promptly forwarded to the chairman with the notation of the executive director concerning such withholding.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:812 (September 1996), repromulgated LR 24:1265 (July 1998), LR 37:2987 (October 2011).

### **§113. Rights Duties and Responsibilities of the Executive Staff of the Commission**

#### A. Executive Staff of the Commission

1. The executive staff shall be tasked, directed and supervised by the executive director.

2. Unless otherwise directed by the executive director, the executive staff shall attend the meetings of the commission and its various committees.

#### B. Executive Director

1. The executive director shall be the executive head and chief administrative officer of the Office of Student Financial Assistance. The executive director will be responsible to the commission for the conduct of the Office of Student Financial Assistance in all affairs and shall execute and enforce all of the decisions, orders, rules and regulations of the commission with respect to the conduct of the Office of Student Financial Assistance. The executive director shall be appointed by and shall hold office at the pleasure of the commission. The executive director's discretionary authority shall be broad enough to enable him/her to meet his/her responsibilities, in the day-to-day operations of the Office of Student Financial Assistance, and shall include, but not be limited to, the authority to authorize and execute purchase orders, requisitions, agreements, and contracts for supplies, equipment, subscriptions, borrower credit and tracing information, and other materials and information necessary to maintain such day-to-day operations, provided such authority shall extend only to small purchases authorized by R.S. 39:1596 and an executive order of the governor.

2. The executive director shall be the "appointing authority" for the purposes defined by state civil service law, rules and regulations and shall exercise the authority granted to an "appointing authority" thereunder.

3. The executive director shall have the authority to suspend or dismiss unclassified employees.

4. Subject to these bylaws and the regulations and directions of the commission, the executive director shall:

a. establish administrative policies and procedures for the operation of the Office of Student Financial Assistance;

b. plan, organize, supervise, direct, administer, and execute the functions and activities of the Office of Student Financial Assistance;

c. prepare and present a business plan and consolidated budget for the Office of Student Financial Assistance and the commission;

d. serve as governmental liaison and spokesperson for the commission;

e. promote the development of the commission's programs.

5. The executive director shall task, direct, and supervise the executive staff.

6. The executive director shall be responsible for ensuring compliance with the legislatively enacted budgets as approved by the commission.

7. Annually, on or before September 30, an evaluation of the executive director's job performance and

compensation shall be conducted by the commission. These evaluations shall be conducted using a format adopted by the commission for these purposes. Changes to the compensation structure adopted by the commission shall be effective on July 1 of the year in which the evaluation is performed.

C. Deputy Executive Director. The deputy executive director shall be the assistant executive director nominated by the executive director and confirmed by the commission to serve as the principal assistant to the executive director. He/She shall be responsible to the executive director for the effective performance of all duties assigned by the executive director, in accordance with the policies, rules, regulations, directives and memoranda issued by the executive director and the commission.

D. Assistant Executive Directors. The assistant executive directors shall be nominated by the executive director and confirmed by the commission. The assistant executive directors shall serve as assistants to the executive director. He/She shall be responsible to the executive director, and the deputy executive director in the absence of the executive director, for the effective performance of all duties assigned by the executive director, in accordance with the policies, rules, regulations, directives and memoranda issued by the executive director and the commission.

#### E. Directors of Divisions

1. There shall be a director for each division of the Office of Student Financial Assistance, appointed by the executive director in accordance with state civil service laws, rules and regulations. Under the direction and authority of the executive director and the rules of the commission, each director shall administer the division for which he/she is appointed.

2. As the administrative head of a division, the director shall be responsible to the executive director for planning, supervising, directing, administering and executing the functions and programs assigned to the division in accordance with all applicable laws, rules, regulations, policies, directives, and budgets.

3. The directors may invite members of his/her administrative staff to aid him in his/her presentations to the commission.

F. Delegation of Authority. In the absence of the executive director, the deputy executive director, as delegated by the executive director, will assume the duties of the executive director during his/her absences. In the event both the executive director and the deputy executive director are absent, the executive director will appoint an incumbent of the assistant executive director positions to assume the duties of the executive director.

G. Recording Secretary. The executive director shall appoint a recording secretary whose duties shall include giving or causing to be given notice of all meetings of the commission and its committees as required by the Administrative Procedure Act or these bylaws, to record and prepare the minutes of all commission meetings and

meetings of its committees and to maintain and provide for the safekeeping of all minutes and other official documents of the commission. The recording secretary shall have the authority to provide copies of the official records of the commission as required by the public records laws of the state of Louisiana or as otherwise directed by the commission or the executive director and to certify the authenticity of such records and the signatures of members of the commission, the executive director or others acting in their official capacity on behalf of the commission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:812 (September 1996), amended LR 24:1265 (July 1998), LR 25:654 (April 1999), LR 25:1091 (June 1999), LR 27:1218 (August 2001), LR 33:2608 (December 2007).

### §115. Responsibilities of Commission Members

A. Commission members are charged with the responsibility of ensuring that the functions and duties of the Office of Student Financial Assistance are performed effectively in fulfilling the purposes of R.S. 17:3021 et seq. Prior to assuming the responsibilities to which appointed and to avoid any potential conflict of interest, a commissioner shall, to the best of his or her knowledge, disclose to the State Board of Ethics any pre-existing relationship between the commission and the commissioner or any member of the commissioner's immediate family or any entity in which the commissioner has a substantial economic interest. This obligation to disclose is a continuing obligation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:813 (September 1996), repromulgated LR 24:1266 (July 1998).

### §117. Amendment or Repeal of Bylaws

A. New bylaws may be adopted, and bylaws may be amended or repealed, at any meeting of the commission, but no such action shall be taken unless notice of such proposed adoption, amendment, or repeal shall have been given at a previous meeting or notice in writing of the proposed change shall have been served upon each member of the commission at least 30 days in advance of the final vote upon such change, provided, however, when deemed necessary, that by a simple majority of the entire membership of the commission, the requirements for such notice may be waived at any time.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:813 (September 1996), repromulgated LR 24:1266 (July 1998).

### §119. Rules and Regulations of Louisiana Student Financial Assistance Commission

A. Any action by the commission establishing policy or methods of procedure, administrative, business, or otherwise

shall be known as "Rules and Regulations of the Louisiana Student Financial Assistance Commission."

B. "Rules and Regulations of the Louisiana Student Financial Assistance Commission" may be adopted by the commission, or may be amended or repealed, in whole or in part, at any meeting of the commission by a vote of simple majority.

C. All policies and procedures of the commission falling within the definition of rules and regulations, as herein defined, and in existence upon the date of the adoption of these bylaws, shall be a part of the "Rules and Regulations of the Louisiana Student Financial Assistance Commission."

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:813 (September 1996), repromulgated LR 24:1266 (July 1998).

### **§121. Effective Date**

A. These bylaws shall be adopted and shall become effective on the date they are published as final rule in the *Louisiana Register*.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:813 (September 1996), repromulgated LR 24:1267 (July 1998).

### **§123. Repealing Clause**

A. All rules, orders, regulations, and resolutions heretofore enacted or adopted by this commission, which are in conflict with these bylaws, are hereby repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:813 (September 1996), repromulgated LR 24:1267 (July 1998).

## **Chapter 2. Bylaws of the Advisory Committee to the Student Financial Assistance Commission**

### **Subchapter A. Purpose and Authority**

#### **§201. Purpose of the Committee**

A. The purpose of the advisory committee shall be to consider those matters relating to student financial assistance programs that, from time to time, shall be referred to it by the Louisiana Student Financial Assistance Commission (LASFAC) or its executive staff, and to provide technical advice and recommendations to the commission and its staff on such matters. In establishing the committee, the commission seeks to ensure that its programs are administered to the maximum benefit of Louisiana's students and institutions of higher education, both public and private.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:435 (March 1998).

#### **§203. Authority of the Committee**

A. The advice and recommendations of the committee are only advisory in nature and are not binding upon the commission, its members or officers.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:435 (March 1998), amended LR 34:610 (April 2008).

## **Subchapter B. Meetings**

#### **§211. Regular Meetings**

A. The committee shall hold regular meetings which are limited in number to six per year. All regular meetings shall be held at the meeting place designated by the executive director of the Office of Student Financial Assistance (OSFA). Proxy voting shall be permitted provided that the proxy holder is an officer or employee of the organization represented by the appointed member and that a proxy does not represent the appointed member at more than two of the meetings scheduled annually.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:435 (March 1998).

#### **§213. Special Meetings**

A. Special meetings of the committee may be called by the executive director of the Office of Student Financial Assistance at any time, provided the purposes of the meeting are specified, the members notified at least three calendar days before the time of the meeting, and sufficient members to form a quorum confirm their planned attendance.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:435 (March 1998).

#### **§215. Compensation**

A. Members of the committee shall be reimbursed for their travel expenses incurred in attending meetings, in accordance with applicable state travel regulations if their respective school does not reimburse them for their expenses. No other compensation is authorized. Members may decline reimbursement for expenses.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:435 (March 1998), amended LR 34:610 (April 2008).



**§217. Quorum**

A. Five voting members of the committee shall constitute a quorum for the transaction of business and a simple majority of the members present at any meeting voting for or against a particular item shall be the recommendation of the committee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:435 (March 1998).

## **Subchapter C. Membership and Officers of the Committee**

**§221. Membership**

A.1. The committee shall be composed of nine voting members, who shall be the financial aid director or his/her designee representing the Louisiana State University System, the Southern University System, the University of Louisiana System, the Louisiana Community and Technical College System, the Professional Schools, the Louisiana Association of Independent Colleges and Universities, and proprietary schools selected by the Louisiana Career College Association; a student member through September 30, 2010; and beginning October 1, 2011, one active public high school counselor and one active non-public high school counselor appointed by the Louisiana School Counselor Association.

2. The executive director of the LOSFA shall be an ex officio, nonvoting member of the committee.

3. The president or his/her designee of the Louisiana Student Financial Aid Administrators shall be a nonvoting member of the committee.

B. Rotation of Members. Voting members shall rotate according to the following schedule.

1. Louisiana State University System
  - a. University of New Orleans
  - b. Louisiana State University at Alexandria
  - c. Louisiana State University at Shreveport
  - d. Louisiana State University at Eunice
  - e. Louisiana State University at Baton Rouge
2. Southern University System
  - a. Southern University at Baton Rouge. The initial term shall be for one year.
  - b. Southern University at New Orleans
  - c. Southern University at Shreveport
3. University of Louisiana System
  - a. University of Louisiana at Monroe. The initial term shall be for one year.
  - b. Louisiana Tech University

- c. McNeese State University
  - d. Nicholls State University
  - e. Northwestern State University
  - f. Southeastern State University
  - g. University of Louisiana at Lafayette
  - h. Grambling State University
4. Louisiana Community and Technical College System
    - a. Delgado Community College. The initial term shall be for one year.
    - b. Baton Rouge Community College
    - c. Bossier Parish Community College
    - d. Delta Community College
    - e. L.E. Fletcher Community and Technical College
    - f. River Parishes Community College
    - g. South Louisiana Community College
    - h. SOWELA Technical Community College
    - i. Louisiana Technical College
  5. Professional Schools
    - a. Louisiana State University Health Sciences Center at New Orleans
    - b. Louisiana State University Health Sciences Center at Shreveport
    - c. Southern University Law Center
    - d. Tulane Medical and Law School
  6. Louisiana Association of Independent Colleges and Universities
    - a. Centenary College
    - b. Dillard University
    - c. Louisiana College
    - d. Loyola University
    - e. New Orleans Baptist Theological Seminary
    - f. Our Lady of Holy Cross College
    - g. Our Lady of the Lake College
    - h. St. Joseph Seminary College
    - i. Tulane University
    - j. Xavier University
  7. Proprietary Schools
    - a. The Louisiana Career College Association shall rotate membership among the proprietary schools.
    - b. The rotation will ensure that all schools are offered membership before the rotation repeats.

## 8. Student—Through September 30, 2010

a. A student member shall be selected by the financial aid officer who is a member of the advisory committee beginning with the member from the Louisiana State University System and rotating in the order of members listed above.

b. Student members shall serve one year terms and may not serve two consecutive terms.

c. The student selected should be an employee of the financial aid office, have financial aid experience or otherwise have an interest in financial aid.

## 9. High School Counselors—Beginning October 1, 2011

a. One active public high school counselor selected by the Louisiana Student Counselor Association whose initial term shall be one year.

b. One active non-public high school counselor selected by the Louisiana Student Counselor Association whose initial term shall be two years.

### C. Term

1. The term of voting members shall be for two years except as indicated in §221.B above. Members may not serve two consecutive terms, except as indicated in §221.E.2 below.

2. Terms shall be staggered.

3. Terms shall begin on October 1 of each year.

### D. Notification of Membership

1. Except for the 2007-2008 academic year, LOSFA shall send a notice to the financial aid directors of the schools who are eligible to be members of the advisory committee no later than September 1 of each year. In the notice, LOSFA shall request confirmation of that financial aid director's willingness to serve as a member and the name of the financial aid director's designee, if there is one.

2. The financial aid director must submit the confirmation of membership by September 30 of that same year.

### E. Replacements

1. If a financial aid director declines to participate or does not submit a timely confirmation, the next school in the rotation shall be eligible for membership and LOSFA shall so notify the appropriate financial aid director.

2. If a financial aid director is unable to complete his/her term for any reason, the financial aid director from the next school in the rotation shall be eligible for membership and LOSFA shall so notify the appropriate financial aid director. The replacement member shall complete the rest of the term and shall be eligible for membership for the next two year term.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:435 (March 1998), amended LR 33:1339 (July 2007), LR 34:610 (April 2008), LR 37:2598 (September 2011).

## §223. Chairman and Vice-Chairman

A. The committee chairman and vice chairman shall be selected annually by vote of the members of the advisory committee, from among the members of the committee. The chairman of the committee shall preside over all meetings of the committee, serve as ex officio member of all subcommittees, designate the duties of the vice-chairman, appoint the membership of all subcommittees, and present the committee's recommendations to the commission for its consideration. The vice-chairman shall perform the duties of the chairman in the chairman's absence.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:435 (March 1998), amended LR 34:611 (April 2008).

## §225. Ex Officio Member, the Executive Director of the Office of Student Financial Assistance (OSFA)

A. The executive director of the Office of Student Financial Assistance shall:

1. ensure that the functions of the committee promote the purpose for which it was established and that the committee is in conformity with all applicable statutes and rules and regulations of the commission;

2. prepare the business agenda;

3. provide administrative support to the committee within the resources of his/her office allocated for that purpose;

4. approve the travel of committee members;

5. in the absence of the committee chairman or vice-chairman, present the recommendations of the committee to the commission; and

6. in conjunction with the chairman, schedule meetings of the committee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:435 (March 1998).

## Subchapter D. Business Rules

### §231. Rules of Order

A. When not in conflict with any of the provisions of these bylaws, *Roberts' Rules of Order* shall constitute the rules of parliamentary procedure applicable to all meetings of the committee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:436 (March 1998).

### **§233. Order of Business**

A. The order of business of regular meetings of the committee shall be as follows:

1. roll call;
2. corrections and approval of minutes of the preceding regular meeting and of all special meetings held subsequent thereto;
3. reports and recommendations of subcommittees;
4. unfinished business; and
5. new business.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:436 (March 1998).

### **§235. Meetings**

A. Meetings shall be conducted in accordance with the state law governing public bodies. It shall be the policy of the committee that all meetings are open to the public and that parties with interest in the proceedings are encouraged to attend.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:436 (March 1998).

### **§237. Agenda**

A. Prior to each regular or special meeting of the committee, the executive director of OSFA shall prepare a tentative agenda and forward it to each member of the committee at least five working days prior to such meeting. With the concurrence of its members, all matters supportive of the purpose of the committee may be discussed even though not scheduled on the agenda. The agenda shall be used to focus the committee's deliberations on issues of importance to the commission and it is not intended to inhibit discussion of issues of importance to members that fall within the committee's purpose.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:436 (March 1998).

### **§239. Minutes**

A. At a minimum, the minutes of the committee shall record official motions or recommendations that are voted on by the committee. The minutes may contain a summary of reports and pertinent discussion of issues. Each recommendation shall be reduced to writing and presented to the committee before it is acted on. The minutes of meetings of the committee become official when approved by the

committee at its next scheduled meeting but, prior to such occurrence, the minutes may be presented to the commission by the chairman, vice-chairman, or executive director as the unofficial action of the committee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:436 (March 1998).

### **§241. Meeting Attendance**

A. Members unable to continue their service on the committee shall so notify the chairman and request that a replacement be named in accordance with §221 of these bylaws. Members who fail to regularly attend meetings without just cause, may be removed from membership in accordance with §221 of these bylaws.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:436 (March 1998), amended LR 34:612 (April 2008).

### **§243. Subcommittees**

A. Subcommittees may be appointed by the chairman to perform specific functions defined by the committee. The membership, chairmanship, and function of subcommittees shall be determined by the chairman. Generally, the business rules defined herein shall be applicable to subcommittees.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:436 (March 1998).

## **Subchapter E. Approval and Amendment of Bylaws**

### **§245. Approval of Bylaws**

A. To receive the commission's consideration, committee bylaws must be favorably recommended by the committee and the executive director of LOSFA. Bylaws become effective upon approval by the commission and publication as a final rule in accordance with the Louisiana Administrative Procedure Act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:436 (March 1998), amended LR 34:612 (April 2008).

### **§247. Amendments to Bylaws**

A. The committee, at any of its scheduled regular meetings, may recommend the amendment or repeal of the provisions herein upon a simple majority vote of the entire membership of the committee. Amendment or repeal of the bylaws becomes effective upon approval by the commission and publication as an emergency rule and/or a final rule in accordance with the Louisiana Administrative Procedure Act.

## EDUCATION

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:436 (March 1998), amended LR 34:612 (April 2008).